



# Council Minutes

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**Meeting #:** R22/2023  
**Date:** December 6, 2023  
**Time:** 4:00 pm  
**Location:** CVRD Civic Room, 770 Harmston Ave, Courtenay

**Council Present:** B. Wells  
W. Cole-Hamilton  
D. Frisch  
D. Hillian  
E. Jolicoeur (electronic)  
M. McCollum  
W. Morin

**Staff Present:** G. Garbutt, City Manager (CAO)  
C. Davidson, Director of Engineering Services  
A. Langenmaier, Director of Financial Services  
K. Macdonald, Fire Chief (electronic)  
K. O'Connell, Director of Corporate Services  
S. Saunders, Director of Recreation, Culture & Community Services  
K. Shaw, Director of Public Works Services  
M. Wade, Director of Development Services  
J. Bagnall, T/Manager of Legislative Services  
K. Collins, Manager of Recreation Programming  
R. Coltura, Assistant Manager of Recreation Facility Operations  
M. Kearns, Manager of Parks Maintenance  
A. Proton, Manager of Legislative Services  
J. Tazzioli, Manager of Engineering, Environmental Projects  
C. Thompson, Manager of Solid Waste Services  
M. Wright, Manager of Transportation  
R. Matthews, Deputy Corporate Officer

## 1. CALL TO ORDER

- Mayor Wells called the meeting to order at 4:02 pm and respectfully acknowledged that the land on which the meeting was conducted is the

Unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

- Mayor Wells acknowledged that December 6 is the National Day of Remembrance and Action on Violence Against Women, which was created in response to the murder of 14 women at the École Polytechnique in Montreal in 1989. Mayor Wells held a moment of silence in recognition of those who have experienced or died from gender-based violence, including Missing and Murdered Indigenous Women and Girls.

## **2. INTRODUCTION OF LATE ITEMS**

**Moved By** Hillian

**Seconded By** Frisch

THAT Council vary the order of agenda items 4.1, Proposed Regional Electric Bike Share Program and 8.2.4 Solid Waste Management Bylaw No. 3113, and renumber accordingly.

**CARRIED**

## **3. ADOPTION OF MINUTES**

### **3.1 Regular Council Minutes - November 22, 2023**

**Moved By** Hillian

**Seconded By** Cole-Hamilton

THAT Council adopt the November 22, 2023 Regular Council minutes.

**CARRIED**

## **4. DELEGATIONS**

### **4.1 Comox Valley Farmers' Market**

Twila Skinner, General Manager, provided an update on the Farmers' Market activities, including the 2023 Economic Impact Study, and requested support from Council by reducing the fees the Farmers' Market pays for rental of the Native Sons Hall for its fall and winter markets.

**5. STAFF REPORTS**

**5.1 Corporate Services**

**5.1.1 Bylaw Policy and Strategic Plan for Bylaw Compliance**

**Moved By** Hillian

**Seconded By** McCollum

THAT Council approve the City of Courtenay Strategic Plan for Bylaw Compliance and the City of Courtenay Bylaw Policy.

**CARRIED**

**6. BYLAWS**

**6.1 For Adoption**

**6.1.1 Solid Waste Management Bylaw No. 3113**

**Moved By** McCollum

**Seconded By** Morin

THAT Council adopt "Solid Waste Management Bylaw No. 3113, 2023".

**CARRIED**

**7. STAFF REPORTS**

**7.1 Development Services**

**7.1.1 Permanent Change to Liquor Licence Application (Kelly/Carlos O'Bryan's) Hours of Service – 2910 Kilpatrick Avenue**

**Moved By** Frisch

**Seconded By** Hillian

THAT Council direct staff to provide a response to the Liquor and Cannabis Regulation Branch (LCRB) recommending approval of the change of hours citing no objections to the application by Kelly/Carlos O'Bryan's for a change in hours of primary liquor sales from 9:00am – 00:00am seven days a week (Monday – Sunday) to 09:00am – 01:00am Monday – Saturday; and

THAT all public comments be shared with the LCRB and encourages the LCRB to consult with the local community and work with the applicant to address public concerns, should the LCRB decide to approve the application.

**CARRIED**

## **8. DELEGATIONS**

### **8.1 Proposed Regional Electric Bike Share Program**

Michael Zbarsky, Manager of Transit and Facilities, CVRD, and David Holzer, Business Development Manager, British Columbia Automobile Association's (BCAA) Evolve E-Bike Share, provided an overview of the proposed regional electric bike share program to expand electric bike mobility options in Courtenay.

## **9. STAFF REPORTS**

### **9.1 Recreation, Culture and Community Services**

#### **9.1.1 Recreation Program and Admission Fees**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council receive the report "Recreation Program and Admission Fees" for information.

**CARRIED**

**Moved By** Hillian

**Seconded By** Cole-Hamilton

THAT Council vary the order of the agenda by moving item 8.1.1 Zoning Amendment Bylaw No. 3094 (1560 Grieve Ave), before Item 5.3.2 Warming Centre and Extreme Weather Response Shelter Update, and renumber the agenda accordingly.

**CARRIED**

**10. BYLAWS**

**10.1 For First, Second and Third Readings**

**10.1.1 Zoning Amendment Bylaw No. 3094 (1560 Grieve Ave)**

**Councillor Jolicoeur declared a conflict of interest as his employer provides funding to the applicant (L'Arche Comox Valley), and left the meeting at 7:03 pm.**

**Moved By Hillian**

**Seconded By Cole-Hamilton**

THAT Council give first, second and third readings of "Zoning Amendment Bylaw No. 3094" (1560 Grieve Avenue); and

THAT prior to Council consideration of the adoption of "Zoning Amendment Bylaw No. 3094", the owner execute the Housing Agreement to form "Housing Agreement Bylaw No. 3117" for Council's consideration.

**CARRIED**

**Councillor Jolicoeur returned at 7:07 pm.**

**Mayor Wells called a recess at 7:07 pm. The Council meeting resumed at 7:33 pm.**

**11. STAFF REPORTS**

**11.1 Warming Centre and Extreme Weather Response Shelter Update**

**Moved By Hillian**

**Seconded By Frisch**

THAT Council approve the use of City facilities for the purpose of providing an Extreme Weather Response Shelter and/or Warming Centre in accordance with the Comox Valley Emergency Program and/or the Extreme Weather Response - Program Framework; and,

THAT Council delegate authority to the City Manager to determine the terms and conditions of a facility use agreement as deemed necessary to facilitate the provision of the Extreme Weather Response Shelter and/or Warming Centre; and,

THAT the City Manager, Director of Recreation Culture, and Community Services, and the Director of Corporate Services be authorized to execute the agreement(s) on behalf of the City.

**CARRIED**

**12. EXTERNAL REPORTS AND CORRESPONDENCE**

**12.1 Letter from Minister of Energy, Mines and Low Carbon Innovation - Development Covenants Affecting Home Solar Installations**

**Moved By** Hillian

**Seconded By** Frisch

THAT Council direct staff to redraft Council's July 12, 2023 letter to the Ministry of Environment and Climate Change Strategy regarding development covenants affecting home solar installations to send to the Ministry of Attorney General.

**CARRIED**

**12.2 Association of Vancouver Island and Coastal Communities (AVICC) 2024 Call for Resolutions**

**Moved By** McCollum

**Seconded By** Cole-Hamilton

THAT Council receive the Association of Vancouver Island and Coastal Communities (AVICC) 2024 Call for Resolutions notice.

**CARRIED**

**13. INTERNAL REPORTS AND CORRESPONDENCE**

**13.1 Snow and Ice Control Program 2023-2024**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council receive the "Snow and Ice Control 2023-2024" briefing note.

**CARRIED**

**13.2 Heritage Advisory Commission Meeting Minutes - June 28, 2023 & October 31, 2023**

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT Council receive the June 28, 2023 and October 31, 2023 Heritage Advisory Commission minutes.

**CARRIED**

**14. BYLAWS**

**14.1 For First, Second and Third Readings**

**14.1.1 Development Cost Charges (DCC) Waiver (Affordable Housing) Bylaw No. 3118**

**Moved By** Hillian

**Seconded By** Jolicoeur

THAT Council give first, second and third readings to "Development Cost Charges (DCC) Waiver (Affordable Housing) Bylaw No. 3118".

**CARRIED**

**14.1.2 Mansfield Lift Station Latecomer Agreement Bylaw No. 3119**

**Moved By** Hillian

**Seconded By** Frisch

THAT Council give first, second, and third readings to "Mansfield Lift Station Latecomer Agreement Bylaw No. 3119".

**CARRIED**

**14.2 For Adoption**

**14.2.1 Downtown Courtenay Business Improvement Association (DCBIA) Bylaw No. 3105 - Counter Petition Results**

**Moved By** McCollum

**Seconded By** Cole-Hamilton

THAT Council adopt "Downtown Courtenay Business Improvement Area Bylaw No. 3105, 2023".

**CARRIED**

**14.2.2 Development Procedures Bylaw No. 3106**

**Moved By** Frisch

**Seconded By** McCollum

THAT Council adopt "Development Procedures Bylaw No. 3106, 2023".

**CARRIED**

**14.2.3 City of Courtenay Fees and Charges Amendment Bylaw No. 3107**

**Moved By** Hillian

**Seconded By** McCollum

THAT Council adopt "City of Courtenay Fees and Charges Amendment Bylaw No. 3107, 2023".

**CARRIED**

**14.2.4 Consumer Price Index (CPI) Increase to Development Cost Charge (DCC) Bylaw No. 2840, 2016 and Development Cost Charges Amendment Bylaw No. 3116**

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT Council adopt "Development Cost Charges Amendment Bylaw No. 3116, 2023".

**CARRIED**

**15. COUNCIL REPORTS**

**15.1 Councillor Cole-Hamilton**

No report provided.



**15.2 Councillor Frisch**

No report provided.

**15.3 Councillor Hillian**

Councillor Hillian submitted a report of activities, see agenda.

**15.4 Councillor Jolicoeur**

No report provided.

**15.5 Councillor McCollum**

No report provided.

**15.6 Councillor Morin**

Councillor Morin submitted a report of activities, see agenda.

**15.7 Mayor Wells**

No report provided.

**16. IN CAMERA RESOLUTION**

**Moved By** Frisch

**Seconded By** McCollum

THAT Council close the meeting to the public pursuant to the following subsections of the *Community Charter*:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

**17. ADJOURNMENT**

Mayor Wells terminated the open portion of the meeting at 8:35 pm. Following the conclusion of the in camera portion of the meeting, Mayor Wells terminated the meeting at 9:39 pm.

**CERTIFIED CORRECT**

Adopted by Council January 10, 2024

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Mayor Bob Wells

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Adriana Proton, Corporate Officer